

STATE EMERGENCY RESPONSE COMMISSION

State Emergency Response Commission Meeting Minutes January 12, 2005

Secretary David B. Mitchell - DSHS	Ellen Malenfant - DNREC
John Blevins - DNREC	Gus Barber - EPA Region III Rep.
Jamie Turner - DEMA	Jim Kenney - New Castle County LEPC
Dr. Gerald Llewellyn - Div. of Public Health	Edward Gerhard - US EPA
Randy Hughes - Delaware State Police	Mark Collender - Delaware State Police
Tricia Faust - DelDOT	Rich Antoff - DNREC
Michael Kernan - Delaware State Fire School	Joe Leonetti - NCC Office Emergency Mgt.
Michael G. Chionchio - State Fire Marshal	Steven J. Martin - DSFS
Bill Betts - Fire Prevention Commission	Thom May - Div. of Public Health
Ralph Baker - Shipper of HazMat	Bob Barrish - NCC LEPC
Pam Meitner - User of Hazardous Material	David Hake - DEMA
James Lee - Consignee of HazMat	Janet Chomiszak - DEMA
John Peirce - Water Transportation Rep.	Arthur D. Paul - DEMA
Al Johnson - Air Rep.	Patty Smenkowski - DEMA
J. Allen Metheny, Sr. - Kent County LEPC	
Bill McCracken - New Castle County LEPC	

The January 12, 2005 meeting of the State Emergency Response Commission (SERC) was called to order at 1:13 p.m. by Secretary Mitchell. A quorum was available. Attendees introduced themselves and were welcomed to the meeting. The September 8, 2004 meeting minutes were approved, as written, following a motion made by Mr. John Peirce and seconded by Mrs. Pam Meitner.

STANDING COMMITTEE REPORTS

Finance and Budget Committee – Mr. Arthur D. Paul

Summary of SERC Finances as of 8/31/04:

SERC Fee Holding Account:

Carryover from 2003 calendar year	+ \$ 225,296
Fees collected thus far during 2004	+ \$ 289,000 (a)
Projected reimbursements thus far	- \$ 1,640 (b)
Interest received thus far during 2004	+ \$ 2,859 (c)
Annual disbursements to LEPCs approved in June	- \$ 255,744
Transfer to Decon trailer equip and maintenance fund	- \$ 4,000
Transfer to Decon trailer replacement account	- \$ 28,000

Account balance as of 8/31/2004	\$ 227,771

Notes:

- a) Additional fees may be received as we continue follow-up activities on the 2003 Hazardous Chemical Inventory (Tier II) reports due 3/1/04.
- b) Additional reimbursements necessary to facilities will likely be identified as we process the 2003 Tier II reports. (Final reimbursements for reporting errors in 2003 totaled \$4,980.)
- c) Interest will continue to accumulate. (Total interest accumulated in 2003 was \$5,453.)

Decon Trailer Replacement Account:

Initial deposit approved in June 2003	+ \$ 28,000
Interest received during 2003 (Sept. thru Dec.)	+ \$ 172
Transfer into account in June 2004	+\$ 28,000
Interest received thus far during 2004	+ \$ 200

Balance as of 8/31/2004	\$ 56,372

HMEP Grant Review – Mr. Paul

Mr. Paul referred attendees to the Hazardous Materials Emergency Preparedness (HMEP) Budget Status memo in the SERC agenda package. The U.S. DOT approved the FY 2005 HMEP Grant for Planning, \$46,090 and Training \$45,133. Mr. Paul has been designated the HMEP Grant Administrator. This information is being provided to the Commission for informational purposes. The following is the status of the HMEP program:

HMEP PLANNING – FY 2005

Proposal:

The Kent County LEPC requests funds to host another seminar on propane and ammonia. The seminar will use the same format as the highly successful 2003 Ammonia Seminar; four concurrent sessions in the afternoon, a networking period, dinner, and a presentation after dinner. The targeted audience will again be facility managers, owners, engineers, safety personnel, and the volunteer fire service. There will be a \$25 fee for registrants which will basically cover the cost of the dinner. The requested funds will be used for advertising, speaker fees, supplies, etc. Approximate Cost: \$2,500.00.

Approved and Pending Items:

Balance as of 1/01/05	46,090.00
Pending Items:	
Kent County LEPC refreshments meetings @100	554.17
Total Pending Items	<u>554.17</u>
<i>Projected Planning Balance</i>	45,535.83

HMEP TRAINING – FY 2005

Proposal:

The Kent County Decon Team requests funds to have a special HazMat Technician course for 15-20 people. The Fire School will teach the course which will be divided into eight three hour blocks; some taught at the Fire School and some at the Little Creek Fire Company. This special class will accommodate the needs of the Fire Company. Approximate Cost: \$2,000.00.

Approved and Pending Items:

Balance as of 1/01/05	45,133.00
Pending Items:	
Sussex Paramedic training/Fire School IV 1170553 dated 12/16/04/Paid	2,000.00
LEPC Training Hall rental Wilmington paid 283.55	<u>283.55</u>
Total Pending Items	2,283.55
<i>Projected Training Balance</i>	<i>42,849.45</i>

Mr. Paul gave the Commission a portion of a report on the HMEP Grant Program that was presented to the National Association of SARA Title III Program Officials (NASTTPO) and a copy of planning and training activities that are eligible for HMEP funds. Attendees were encouraged to submit funds requests. The funds must be obligated by September 30, 2005 and liquidated by December 31, 2005.

Information and Technology (IT) Committee – Mr. Paul

The IT Committee continues to work on the acquisition of the Tier II Manager program for chemical inventory reporting. The funds have been obligated and the contract has been signed by DNREC. The next step is to finalize an implementation timeline with Intelligent Decisions Systems, Inc.

Planning and Training Committee – Mr. Jamie Turner

The Committee met November 23, 2004 and eight members attended. The following topics were discussed:

1. Review of Flow Study Phase II — Art Paul reviewed both phases of the Flow Study project. Phase I reviewed the risk and vulnerabilities from the five HazMat Flow Studies conducted from 1994-1998. Phase II examined findings and suggested recommendations for further study or consideration. Overall, DE has an enviable safety record for transporting HazMat and neither of the suggested recommendation offer glaring opportunities for improvement. The four recommendations were:
 - Focus efforts on quick response to highway HazMat incidents
 - For rail and waterway, focus on catastrophic response capabilities and prevention efforts
 - Proposed general risks study concerning pipeline transmission
 - Examine the feasibility and benefits of rerouting non-fuel HazMat

Most of the discussion surrounded pipeline to include safety concerns with digging and soil erosion conditions. Mike Kernan stated that the Fire School would be conducting a Train-the-Trainer Pipeline Safety Course in January 2005. The Committee agreed that an overview of the course should be given at the March SERC meeting; this will be added to the agenda. Referencing response capabilities, Jamie Bethard briefed on the acquisition of safety vacuum trailer systems for each county and the NCC Industrial HazMat Alliance.

Outcomes of the discussions were:

- Contact John Hess, DOT, for pipeline study information
- Monitor/compare number of pass events
- Consider formal review every five years

2. SERT Plan Review – Art stated that the plan was published earlier in the year and recently distributed by the Fire School along with the 2004 Emergency Response Guides. In the revision of the SERT Plan, DNREC assumed the primary role of radiological (a hazardous substance) response from DEMA. The Radiological Incident Response Plan (RIRP) is currently be coordinated with DNREC and DPH, this plan will provide additional guidance to radiological incident response, however, the procedural information has been removed and will be included in DNREC SOPs. Art suggested that the next revision of the SERT Plan should include radiological incident response. After discussion, the Committee decided that rather than wait a couple of years for a revision to the SERT plan, consideration should be given to a page change.

Art will draft a change to the SERT Plan to include additional radiological response guidance from the RIRP

Tricia Faust asked about the role of DelDOT in Hazardous Substance response and should DelDOT have a haul Team? The Committee discussed the levels of HazMat training and suggested that DelDOT should be trained to the Awareness Level and some staff should be trained to the Operations Level; which does not include contact with HazMat. DelDOT needs to determine what their role will be and coordinate training and planning activities with members of the Planning and Training Committee.

3. SERC Retreat – Art briefed that the Commission had Workshops/retreats in 2002 and 2004 and suggested that the Committee plan another for the September 2005 SERC meeting. The Chairman suggested that the Commission be surveyed to determine: 1. if there should be a retreat, 2. topics to discuss, and 3. dates that the retreat should be held. This item will be added to the next SERC meeting agenda.

Mr. Paul sent a survey to the SERC Membership to determine if there should be a SERC Retreat in 2005. The majority of the membership responded and the results were unanimous in favor of a retreat, there were no negative responses. The Committee will work on proposed times and topics.

The Committee will meet the last Wednesday of the month before SERC meetings. The tentative meeting dates are: February 23, May 25, August 31, and November 30, 2005.

Decon Trailer Committee – Mr. J. Allen Metheny, Sr.

The DECON Trailer User's Group met on November 29, 2004 at the Kent County Public Safety Building with all three teams represented. Highlights of the meeting follow:

1. We are continuing on the work of drafting a Statewide DECON trailer User's Group "Standard Operating Guidelines" (SOG). Progress has been made on getting this completed, thanks to my LEPC Secretary.
2. The tow vehicles for the trailers are in production. The expected delivery date is late January 2005. We are also awaiting delivery of an 18' cargo trailer for each DECON team.
3. Since the last meeting, the teams have:
 - Responded to five emergency incidents
 - Conducted two training classes or drills
 - Completed no public appearance/community outreach event.
4. The team has provided the final review of the list of equipment and service requests for FY '04 WMD funds. With the exception of the overtime request, all requests have been approved. The process for overtime request has not been determined yet.
5. The team has more recently developed the DHS funding request for FY 2005. The list includes equipment for decontamination, communications, personal protection, and a PPE truck for DECON 1 (New Castle). This list has been submitted to DEMA; however, due to DHS funding cuts, we are sure everything will not be funded.
6. We have received additional FY 02-03 WMD equipment since the last meeting. We are still waiting for a few items to be received.
7. There has been one repair cost so far this fiscal year. The AC/DC converter on DECON 2 had to be replaced – cost \$856.59

Our next meeting is scheduled for March 2, 2005 at 1:30 p.m.

LOCAL EMERGENCY PLANNING COMMITTEE REPORTS

New Castle County – Mr. Bill McCracken

- Meeting Notes - Three Meetings of the NCC LEPC have taken place since the last SERC meeting. The meetings are summarized in chronological order.

September 13, 2004 meeting was held at Connective. Our host Vince Jocono of Connective provided a presentation concerning the company's response procedures and a tour of the facility. Pictures of the very successful CAER car training event were shown. Chairman Ennis submitted his resignation due to time restraints at the July LEPC meeting. Vice chair D. H. Irwin was nominated and elected. Because Representative Ennis expressed a desire to remain active in the organization he was elected to fill the vice chair position. A letter was sent to Arthur Paul of DEMA and the SERC chair noting these changes.

November 8, 2004 meeting was held at Agilent Technologies. Keith Morgan described the activities and products of their company. The SEP grant in the amount of \$25,000 received from General Chemical has been closed. The money was spent to buy equipment for the NCCIHMRA and the LEPC. Items included: fire resistant Level A HazMat suits (2), specialty tools, storage containers, skids, transfer hoses, emergency de-inventory fitting for tank trailers, placard training kit and a 2.5 in air driven acid pump. The addition of this equipment has made a step change increase in the team capabilities. Mark Dolan presented the 2004 training summary. Twenty hours of training was provided for the members. This is in addition to the training provided by the companies. Topics included: Air Monitoring and Chemical Identification, Awareness level response to terrorist bombings, DuPont CAER car railroad training course, field exercise with the DECON team and DNREC and the 2004 DOT guidebook review. Team participation was excellent. Tom Muller of BP gave a detailed presentation about their proposed LNG facility in Logan Township, New Jersey. For info their website is www.bpcrownlanding.com. A Community Advisory Panel (CAP) has been formed and an LEPC representative will keep the organization apprised.

January 10, 2005 meeting was held at the Elsmere Fire Company. The NCCIHMRA Training Committee has developed a tentative training schedule. Training topics are: Chemical Monitoring and Detection, Inter-modal container training, Portable containers, and a tabletop exercise. The schedule will be finalized by mid February. Bill McCracken reported that NCC LEPC is ready to implement Tier II Manager. All files, special populations, etc have been reviewed and updated with latest available information. This includes the City of Wilmington. An update on the activity of the LNG facility was provided. A report of facilities, contact information and chemical inventory by fire district was provided to the New Castle County Fire Companies at the January 6, 2004 Fire Chief's meeting. It was noted that two members of the NCC LEPC, Dave Ennis and Joe Loenetti, were recipients of the EPA Partnership Award at the U.S. EPA Region III Emergency Preparedness and Prevention Conference December 5, 2004.

- Facility Visits – The On Site Assessment Program is 59% complete as of 1 January 2005. The current cycle started in July 2003 and will be complete in June of 2006. There is evidence of an increased awareness of security and improvements in security posture. We coordinate closely with The Accidental Release Prevention office of DNREC on problem cases.
- HazMat Plan Status – The plan was revised in 2004 and the revisions to the New Castle County Hazardous Substance Response Plan were sent to recipients November 6, 2004.
- Exercise Status – Not reported.
- HazMat Incidents – There were no incidents during this reporting period which required the activation of the NCCIHMRA

City of Wilmington – Mr. Paul provided report

- Meeting Notes – The last meeting of the Wilmington LEPC was held on Nov. 12, 2004 at the Public Safety Building. The next meeting will be held on January 14, 2005 at 10:00am in the Multi-purpose room of the Public Safety Room. The following is a summary of the minutes from the November 12 meeting.
 - Still trying to find ways to accommodate the loss of this year's budget. Training for the National Incident Management System has been completed.

- The Anti-terrorism committee continues its work, next meeting March 11, 2005.
 - The siren system has been purchased from Federal Signal and is being put in at this time. There are 13 locations for the system around the city.
 - The Wilmington LEPC has put together a power point presentation about the Committee's purpose and accomplishments. The presentation given as requested.
 - The Office of Emergency Management has received their command vehicle. The vehicle is equipped with two state of the art cameras and radio communications for the City and State. The vehicle will be on display at the next LEPC meeting. Training on the vehicle will start in January.
- Facility Visits – Visits have been completed with assistance from DelEASI.
 - HazMat Plan Status – Plan approved and is being printed.
 - Exercise Status – Not reported.
 - HazMat Incidents – We had one response this quarter a fuel oil spill on 9th Street. We are also working with DNREC on the removal of caustic substances from Bancroft Mills.

Kent County – Mr. J. Allen Metheny, Sr.

Meeting Notes – Regular meetings held on September 14, 2004; November 9, 2004; and January 11, 2005 with an average of 22 members present at each meeting. Provided updates to the members on the following topics: Decon III Operations, Tier II reporting, fee collections, budget issues, Delaware Emergency Notification System, the tier II Manger System, and Kent County EOC upgrade.

We have re-activated the seminar committee to plan for another seminar in the spring of 2005. The seminar will be held on April 21, 2005 at the Dover Sheraton. The hazards that we will address are ammonia and propane. The format will be similar to the seminar in 2003; afternoon sessions, a time for networking, dinner, and an after dinner speaker (ret. Battalion Chief Buzz Melton). More will follow.

- Facility Visits – None.
- HazMat Plan Status – Approved by SERC. Copies and CD's are being made and a training session with EOC participants was held in June.
- Exercise Status – A tabletop and full exercise is being planned at Dover Downs International Speedway for the fall and then the spring. This will be an ODP sponsored program that will address a WMD hazmat incident. The tabletop exercise was held in November. Many lessons were learned. The full scale exercise with "hundreds of victims" is planned for April 30th.
- HazMat Incidents – One alert; no response.

The next LEPC meeting will be March 8, 2005 at 10:00 a.m.

Sussex County – No Report

OLD BUSINESS

1. Funding Committee Recommendation

Secretary Mitchell received a response from Secretary Hughes, DNREC, regarding the Commissions request that a percentage of regulatory fines and penalties to be set aside to support SERC activities. The letter explained that DNREC did not have the authority to set aside penalty funds; only to make recommendations which must then be approved by the State Budget Director and the Controller General. The letter suggested that the Commission seek funds from the newly created Community Environmental Project Fund which includes 25% of civil and administrative funds collected by DNREC. The Commission may requests funds on behalf of the LEPCs. This matter will be tabled for future consideration if the Finance and Budget Committee projects future funding shortages. CLOSED

2. SERC Annual Report – Mr. Paul

The report has been finalized as approved at the September meeting and forwarded to the Governor. The report is also available on the SERC Website.

3. Delaware Emergency Notification System (DENS) - Mr. Paul

The presentation of DENS has been postponed. The mapping is being updated to include Delaware layers and the system is being offered to the smaller 911 Centers. In February *FirstCall* will be providing training to 911 Dispatchers.

NEW BUSINESS

1. December 2005 SERC Meeting and EPA Conference

The next Environmental Protection Agency (EPA) conference will be in Baltimore December 4-7, 2005 and the regularly scheduled SERC meeting is December 14, 2005, there is not the usual date conflict and no need to consider changing the December 2005 meeting date.

2. Meeting at the Fire School

Mike Kernan confirmed that the June meeting can be held at the DE State Fire School, to include a short tabletop exercise. The Planning and Training Committee will work with the Fire School on the tabletop scenario.

3. Delaware EPA 2004 Partnership Award Receipts

The Commission recognized Representative David Ennis and Mr. Joseph Leonetti for receiving EPA Partnership awards at the December 2004 EPA Region III Emergency Preparedness and Prevention Conference.

4. Discussion on Chlorine

Secretary Mitchell mentioned the HazMat accident in South Carolina, where two freight trains collided and released a poisonous gas cloud of chlorine; the accident caused 8 deaths and over 240 casualties. The Commission discussed the possibility of such an incident in Delaware. According to figures provided by Mr. Steve Scruggs, SERC Rail Transportation Rep. from Norfolk Southern Railroad, from December 1, 2004 thru January 10, 2005 the average daily chlorine loaded railcar shipments was 2.15 originating and 3.34 terminating in Delaware. Further discussions took place on chlorine shipments and the response capability in Delaware. A suggestion was made to invite Norfolk Southern to the next Planning and Training Committee meeting and discuss the chlorine issue.

5. Motorola Working Group

Following the Information and Technology Committee Report, Secretary Mitchell mentioned some of the new Motorola technologies such as body suits for firemen that track vital signs, etc. After Commission discussion, Secretary Mitchell suggested a working group to examine some of the latest technological advances and the viability of there use in Delaware. Mr. Jamie Turner will be the lead for this Working Group.

CLOSING COMMENTS

Mr. Blevins stated that Bob Barrish had retired from DNREC Accidental Release Prevention, and thanked him for his years of service. He introduced Ellen Malenfant who is the Director of the newly established Emergency Prevention and Response Branch that will include Accidental Release Prevention, Emergency Response, and the EPCRA Program. Mr. Blevins also announced that he would be departing DNREC and accepting a position with the EPA in Texas and that Marjorie Croft would be the acting Director for the Division of Air and Waste Management.

The SERC meeting adjourned at approximately 2:00 p.m. The next meeting will be on Wednesday, March 9, 2005, 9:00 a.m. at the State Emergency Operation Center.